

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JEFFREY ANCHOR, ET AL.,

Plaintiffs,

v.

ORDER
05-CV-7S

NOVARTIS AG, ET AL,

Defendants.

On November 1, 2005, Plaintiffs' filed a Motion to Extend Time for Service and to File an Amended Complaint (Docket No. 36). Plaintiffs' request to file an Amended Complaint is moot since Plaintiff in fact filed an Amended Complaint on November 1, 2005. (See Docket No. 35.) As for Plaintiffs' request to extend time for service, counsel are strongly encouraged to reach an agreement without further judicial intervention. If such an agreement cannot be reached, Defendants shall file a response as directed below.

IT HEREBY IS ORDERED, that the parties are strongly encouraged to reach an agreement as discussed above without further judicial involvement.

FURTHER, that if such an agreement cannot be reached, Defendants shall file with the Clerk of the Court and serve a response to Plaintiffs' request to extend time for service (Docket No. 36) on or before November 23, 2005.

FURTHER, that Plaintiffs' request to file an Amended Complaint is moot.

FURTHER, that Plaintiffs' motion (Docket No. 36) will be taken under advisement on November 23, 2005, without a reply or oral argument.

SO ORDERED.

Dated: November 10, 2005
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge